

**DECISION MEMO**  
**MICHIGAN RIVER CULVERT REPLACEMENT**  
**U.S. FOREST SERVICE**  
**MEDICINE BOW - ROUTT NATIONAL FORESTS**  
**AND THUNDER BASIN NATIONAL GRASSLAND**  
**PARKS RANGER DISTRICT**  
**JACKSON COUNTY, COLORADO**

**BACKGROUND**

In 2014, an engineering assessment of the culvert on National Forest System Road (NFSR) 792 at the South Fork Michigan River crossing concluded that imminent failure was likely due to rusting/holes/cracking and a complete replacement would be needed. In 2015 the culvert failed and in 2016 a temporary bridge was installed with the understanding that a new, permanent crossing would be constructed.

**DECISION**

I have decided to approve the proposed action to replace the temporary bridge on NFSR 792 with a permanent crossing structure. The project area is located approximately 2 miles south of Gould, CO. The legal land description is as follows: Township 6 North, Range 77 West, Section 10.

The project area includes the location where NFSR 792 crosses the South Fork Michigan River. The proposed Michigan River Culvert Replacement project would replace the temporary bridge with a permanent culvert or bridge that meets Road Management Objective specifications, accommodates high flows, facilitates sediment transport, and has a natural streambed to allow aquatic passage. Design elements ensure that resources are protected during project implementation.

The following design elements will be incorporated into project implementation.

- Engineering staff and resource specialists will have an opportunity to review and comment on designs, attend a plan in hand review prior to awarding contract, and if appropriate be present during implementation.
- All District and South Zone staff will be notified at least one month prior to the beginning of construction.
- The temporary bridge and abutments will be kept in a useable condition and returned to Forest Service Site 2 in Steamboat Springs, Colorado.
- The crossing will be designed following Load and Resistance Factor Design for highway vehicle loads of up to 93,000 pounds.
- Contact the biologist or botanist if specific impacts to threatened, endangered, proposed, Region 2 sensitive species, or Forest species of local concern and/or their habitats are identified prior to or during project implementation. Management (e.g., timing

restrictions or boundary adjustments) may be adjusted as necessary to reduce those impacts.

- Where appropriate, seed or otherwise revegetate disturbed areas with native species to reduce risk of invasive species establishment. Work with the botanist to identify appropriate species for planting.
- All seed used for revegetation shall be tested for and free of annual bromes and invasive non-native species that are problematic for this Forest. Work with the botanist for the most current list of appropriate seed and for seed testing procedures.
- Equipment will be washed prior to being allowed onto the project area.
- Stabilize fill slopes and/or streambanks during and after construction.
- Keep fill and other areas of disturbance (e.g., staging areas) out of streams, lakes, wetlands and identified streamside management zones.
- Vehicle service and fuel areas shall be located at least 100 feet from streams, lakes, wetlands and riparian areas, and must be approved by the Forest Service hydrologist. Contractor is required to provide a spill containment structure to prevent leakage of petroleum and other hazardous materials into water resources including streams, wetlands, riparian areas, and lakes/ponds. Use liners as needed to prevent seepage into groundwater. Prepare Spill Prevention Control and Countermeasure Plan per the requirement of 40 CFR 112.
- Locate temporary camping and staging areas related to construction activities in upland sites at least 100 feet away from streams, lakes, wetlands and riparian areas. Provide for appropriate disposal of human waste, waste water, garbage and other solid wastes.
- Rehabilitate service and refuel areas as needed to restore effective groundcover, prevent erosion and noxious weed infestations, and protect water quality. Rehabilitation may include scarification, mulch or other ground cover, and/or seeding.

Road will likely be closed during construction, and alternate access is available.

### **REASONS FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION**

This action is categorically excluded from documentation in an environmental assessment (EA) or an environmental impact statement (EIS). The applicable category of action in agency regulations is *Category 36 CFR 220.6(e)(18): Restoring wetlands, streams, riparian areas or other water bodies by removing, replacing, or modifying water control structures such as, but not limited to, dams, levees, dikes, ditches, culverts, pipes, drainage tiles, valves, gates, and fencing, to allow waters to flow into natural channels and floodplains and restore natural flow regimes to the extent practicable where valid existing rights or special use authorizations are not unilaterally altered or canceled.*

The proposed culvert replacement meets the above requirements.

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified and agency procedures that should be considered in determining whether extraordinary circumstances might



exist:

- *Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species* – The Zone Wildlife Biologist, Botanist and Fish Biologist evaluated this project and had no concerns or issues with regard to Federally listed species or critical habitat, or any proposed species or critical habitat, or Forest Service sensitive species.

Wildlife: Canada lynx were evaluated in conformance with the Southern Rockies Lynx Amendment – Project Decision Screens with a “no effect” determination. The area was surveyed and data bases were reviewed R2 sensitive species, and none were found. The project was assessed as a net benefit to wildlife.

Botany: Area has been surveyed and data bases have been reviewed. No TES, or their habitats, were found in the proposal area.

Fisheries: There are no water depletions associated with this project, and therefore “no effect” to downstream federal listed species. There are three R2 amphibian sensitive species for which habitat present is present. Surveys were completed and no individuals were found. The determination was “may adversely impact individuals.”

- *Flood plains, wetlands, or municipal watersheds* – There will be short-term adverse effects to hydrological/water resources. However, effects will be minimal/acceptable due to project design. The proposed action is in compliance with Executive Orders 11988 and 11990.
- *Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas* – There are no congressionally designated areas affected by the proposed action.
- *Inventoried roadless areas or potential wilderness areas* – There are no inventoried roadless areas or potential wilderness that will be affected by the proposal.
- *Research natural areas* – There are no research natural areas affected by the proposal.
- *American Indians and Alaska Native religious or cultural sites* – In the fall of 2009, Forest Service archaeology staff conducted a cultural resource survey for the May 2008 *Forest-wide Hazardous Tree Removal and Fuels Reduction Project EA*. The Colorado SHPO (State Historic Preservation Officer) concurred with the 2009 survey (*Owl Mountain Hazard Tree Removal Project*) on April 7, 2010.

The *Michigan River Culvert Replacement* project falls within the area surveyed. Based on lack of tribal response to outreach related to the above EA, the Forest Service has no knowledge of Native American religious sites or traditional cultural properties within the project area.

- *Archaeological sites, or historic properties or areas* – Also as a result of the 2009 *Owl Mountain Hazard Tree Removal Project* survey, no cultural resources were identified within this area. The 2009 survey fulfills the Agency’s obligations for the current proposal under the National Historic Preservation Act, as amended, and its implementing regulations 36 CFR 800.



## SCOPING AND COOPERATORS

The agency solicited input from a Forest Service interdisciplinary team. The proposed action was posted the district's schedule of proposed actions (SOPA) on January 30, 2020 (<https://www.fs.usda.gov/project/?project=57574>).

## FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

Project design and this decision is consistent with the Routt National Forest Land and Resource Management Plan, 1997 Revision.

The Proposed Action complies with applicable laws and regulations, including the Clean Water Act, National Historic Preservation Act, and Endangered Species Act. Best management practices will be applied to meet state water quality standards and protect soils.

## IMPLEMENTATION DATE

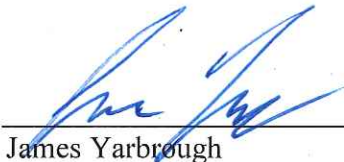
Project implementation may occur immediately.

## ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

The approved activities within this decision are not subject to appeal in accordance with the Consolidated Appropriations Act of 2014, Pub. L. No. 113-76, 128 Stat. 5 (2014). Section 431 of the Act directs that the 1993 and 2012 legislation establishing the 36 CFR 215 (post-decisional appeals) and 36 CFR 218 (pre-decisional objections) processes "shall not apply to any project or activity implementing a land and resource management plan...that is categorically excluded...under the National Environmental Policy Act (NEPA)."

## CONTACT

For additional information concerning this decision, contact Rick Henderson, Fish Biologist, Hahns Peak/Bears Ears Ranger District, 925 Weiss Drive, Steamboat Springs, CO 80487, 970-870-2219.

  
James Yarbrough

Parks Acting District Ranger

2/5/2020  
Date

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